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12
13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16 FOSTER OGOLA, et al.,

17 Case No. 14-cv-00173-SC

18 Plaintiffs,

19 STIPULATION AND [PROPOSED]
20 ORDER MODIFYING SCEDULE
21 FOR CLASS CERTIFICATION
22 MOTION

23 v.

24 CHEVRON CORPORATION,

25 Defendant.

26 WHEREAS, the Second Amended Complaint named six individual plaintiffs and a
27 proposed class consisting of 65,000 individuals throughout Bayelsa State, Nigeria;

28 WHEREAS, the parties agreed in their joint CMC statement (ECF No. 63) to limit the
1 first phase of discovery to disputed issues relevant to class certification and agreed to a schedule
2 for class certification briefing, which the Court so ordered (ECF No. 69);

3 WHEREAS, plaintiffs' counsel has advised that their retained experts are investigating
4 which named plaintiffs and alleged class members have what plaintiffs' counsel consider
5 objectively sustainable claims and, based on that investigation, anticipate reducing the number of
6 named plaintiffs and class members and/or the scope of the proposed class;

7 WHEREAS, as a result of this development, plaintiffs desire additional time to prepare
8 their class certification motion and recognize that defendant should be given additional time for

1 further investigation and discovery thereafter;

2 Accordingly, the parties, by and through their respective counsel of record, hereby
3 stipulate as follows, subject to this Court's approval:

4 1. June 1, 2015 will be the deadline for plaintiffs' counsel to file the appropriate
5 pleadings for the purpose of limiting the currently identified lead plaintiffs and/or prospective
6 class members to those deemed by plaintiffs' counsel to have sustainable claims. If plaintiffs
7 intend to narrow the definition of the class from the description in the CMC Statement filed
8 January 23, 2015, they shall do so in an appropriate pleading by June 1, 2015.

9 2. By June 1, 2015, plaintiffs shall also serve Rule 26-compliant reports and other
10 required materials for any expert that they intend to use to support their class certification motion,
11 subject to timely supplementation. All such supplemental reports and materials will be provided
12 to counsel for defendant as and when received and before filing of plaintiffs' class certification
13 motion.

14 3. The parties shall use their best efforts to agree on dates for the named plaintiffs'
15 depositions and independent medical examinations to occur in San Francisco between June 1,
16 2015 and the date that plaintiffs' class certification motion is due.

17 4. Plaintiffs' class certification motion and supporting materials are due on
18 November 9, 2015.

19 5. The depositions of declarants in support of plaintiffs' motion, to the extent not
20 taken previously, shall be taken between November 9, 2015 and February 10, 2016.

21 6. Defendant's opposition to plaintiffs' motion and supporting materials are due on
22 February 26, 2016.

23 7. At plaintiffs' option, the depositions of declarants in support of defendant's
24 opposition shall be taken between February 26, 2016 and April 15, 2016 at mutually agreeable
25 times and locations.

26 8. Plaintiffs' reply in support of their motion is due April 25, 2016.

27 9. The parties shall meet and confer on any other class certification-related discovery
28 and present any disputes to the Court at the appropriate time.

10. The dates set forth in this stipulation and order supersede the dates in the Court's order dated February 4, 2015.

Dated: March 12, 2015

Jones Day

By: /s/ Robert A. Mittelstaedt
Robert A. Mittelstaedt

Counsel for Defendant
CHEVRON CORPORATION

Dated: March 12, 2015

Rufus-Isaacs, Acland & Grantham LLP

By: /s/ Neil Fraser
Neil Fraser

Counsel for Plaintiffs
FOSTER OGOLA, ET AL.

Pursuant to Local Rule 5-1(i)(3), I, Robert A. Mittelstaedt, attest that concurrence in filing this document has been obtained from the other signatory.

PURSUANT TO THIS STIPULATION, IT IS SO ORDERED.

Dated: 03/18/2015

